

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JAMES POWELL,

Petitioner,

v.

UNITED STATES,

Respondent.

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Case No. 24-cv-1457- RJD

ORDER

DALY, Magistrate Judge:

Petitioner James Howell filed this habeas corpus action pursuant to 28 U.S.C. §2241, contending that the BOP incorrectly calculated and applied his earned time credits under the First Step Act, 18 U.S.C. §3632. Doc. 1. At the time he filed his Petition, his supervised release date was February 6, 2025. *Id.*, p. 5. The Court conducted a preliminary review of his Petition pursuant to Federal Rule of Civil Procedure 4 and ordered the Government to respond by September 27, 2024. However, on August 30, 2024, Petitioner was released to a halfway house. Docs. 12, 13. The Government filed a Motion to Dismiss on September 6, 2024, requesting dismissal because the case is now moot. Doc. 12. The Government sent the Motion to Petitioner at the halfway house. Doc. 12, p. 3. Petitioner did not respond.

Because Petitioner has been released, there is no longer any relief this Court could provide him. *Eichwedel v. Curry*, 700 F.3d 275, 279 (7th Cir. 2012), *citing Spencer v. Kemma*, 523 U.S. 1, 7-16 (1998). This case no longer presents a case or controversy and is therefore DISMISSED WITH PREJUDICE. The Clerk of Court is directed to enter judgment accordingly.

IT IS SO ORDERED.

DATED: October 8, 2024

s/ Reona J. Daly
Hon. Reona J. Daly
United States Magistrate Judge